

**EAST AYRSHIRE COUNCIL**

**NORTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 17 SEPTEMBER 2009 AT 1000 HOURS IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD, CROOKEDHOLM**

**PRESENT:** Councillors Alan Brown, John MacKay, John McGhee, Helen Coffey, Maureen McKay, Tom Cook, Robert Keohone, Iain Linton, John Campbell, Gordon Cree, Drew McIntyre, John Knapp, Hugh Ross, Stuart Finlayson, Robert McDill and Provost Stephanie Young.

**ATTENDING:** Fiona Finlay and Craig Iles, Principal Planning Officers; John Trakalo, Senior Engineer, Roads and Transportation; Melanie Barbour, Solicitor; and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors Rose-Ann Cuninghame, Willie Coffey and Jim Todd.

**CHAIR:** Councillor Alan Brown, Chair, for Agenda Items 1, 2, 4 and 5 and Councillor John Campbell, Vice-Chair for Agenda Item 3.

**APPLICATION NO 09/0568/PP: EAST AYRSHIRE COUNCIL: STEWARTON RAILWAY STATION**

1. There was submitted an executive summary sheet and report dated 9 September 2009 (both circulated) by the Head of Planning and Economic Development on a planning application for change of use of open space to car park, construction of access ramp and associated works at Stewarton Railway Station, Stewarton.

Craig Iles, Principal Planning Officer reported that 53 letters of objection had been received in relation to the application, details of which were contained in the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Economic Development: Approval subject to the conditions and for the reasons detailed in the report.

No Hearing took place as the objectors were not present or represented.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report.

**HEARING PROCEDURE**

2. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).

**CONSIDERATION OF APPLICATIONS**

3. **APPLICATION NO 09/0058/FL: NEWMILNS SNOW AND SPORT COMPLEX: 35 HIGH STREET, NEWMILNS**

**3.1 Declaration of Interest**

The Chair, Councillor Alan Brown, declared a non-financial interest in accordance with paragraphs 5.17 and 5.18 of the Code of Conduct and left the meeting.

Councillor John Campbell, Vice-Chair, took the Chair.

### **3.2 Consideration of Item**

Craig Iles, Principal Planning Officer, reported that three letters of objection had been received in relation to the application, details of which were contained in the report; reported a minor amendment to Condition (9) which should read "Condition 8" and not "Condition X" as stated in the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval subject to the conditions and for the reasons detailed in the report.

### **3.3 Planning Hearing**

The Committee heard George Duncan in respect of his own objections and those of Alison Duncan and Ian Margetts in respect of his objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Jim McGinley the applicant's representative in support of the application.

Members of the Committee asked questions of the applicant's representative.

The Chair closed the Hearing.

### **3.4 Determination of Application**

Craig Iles, Principal Planning Officer, provided clarification on points raised during the Hearing.

It was agreed to grant the application subject to the conditions, as amended, and for the reasons detailed in the report.

The Committee also requested that the Head of Planning and Economic Development advise appropriate Officers of the subsidence issue which had been raised by one of the objectors, this being a matter for the Council as landlord of the application site, and the objector as the property owner of the neighbouring site.

The Chair, Councillor Alan Brown, rejoined the meeting at this point and retook the Chair.

## **4. APPLICATION NO 08/0042/FL: BELLWAY HOMES LTD SCOTLAND WEST: WESTERN ROAD/SOUTHHOOK ROAD, KILMARNOCK**

There was submitted an executive summary sheet and report dated 9 September 2009 (both circulated) by the Head of Planning and Economic Development on a full planning application for the erection of 81 dwellings and 24 flatted dwellings and associated access and landscaping at Western Road/Southhook Road, Kilmarnock.

No Hearing took place as the objectors were not present or represented.

Fiona Finlay, Principal Planning Officer reported that two letters of objection had been received, details of which were contained in the report; reported the omission of the Contrary Decision Note from the report which read "should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the full Council, by the terms of the Scheme of Delegation which became operational on 3 August 2009"; reported an additional Condition (26) prior to the commencement of any development on site, final details of the existing and proposed ground and finished floor levels throughout the application site, shall be

submitted to and approved in writing by the Planning Authority. These levels shall be adhered to thereafter and the development shall be maintained in accordance with the approved details. Reason: In the interests of the proper planning of the site; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval subject to the conditions and for the reasons detailed in the report and to the additional condition and reason as reported at the meeting and that the decision notice not be issued until the Solicitor to the Council had concluded with the applicants an amendment to the terms of the extant agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 in accordance with paragraph 7.2 of the report.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and to the additional condition and reason as reported at the meeting and subject to the following Conditions (27) - prior to any work commencing on site, details (specifically including its layout, specification and finish), of a tarmac footpath to be installed at the southern site boundary at Western Road/Southhook Road shall be submitted to and approved in writing by the Planning Authority. Reason: In order to ensure that there are pedestrian links to and from the development and to encourage pedestrian movement in the surrounding area; and Condition (28) - the footpath agreed under the terms of Condition 27 above shall be installed prior to the occupation of the first dwellinghouse and the footpath shall be maintained thereafter in accordance with the approved details. Reason: In order to ensure that there are pedestrian links to and from the development and to encourage pedestrian movement in the surrounding area; and that the decision notice not be issued until the Solicitor to the Council had concluded with the applicants an amendment to the terms of the extant agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 in accordance with paragraph 7.2 of the report.

**5. APPLICATION NO 09/0519/LB: EAST AYRSHIRE COUNCIL: KILMARNOCK RAILWAY STATION, LANGLANDS BRAE, KILMARNOCK**

There was submitted an executive summary sheet and report dated 9 September 2009 (both circulated) by the Head of Planning and Economic Development on a listed building application for repairs to sandstone retaining wall around boundary of station floral clock embankment at Kilmarnock Railway Station, Langlands Brae, Kilmarnock.

Fiona Finlay, Principal Planning Officer, summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval subject to the conditions and for the reasons detailed in the report and subject to notification to Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to notification to Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The meeting terminated at 1045 hours.